

Application No. 10/602,506
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Reply to Office Action dated December 27, 2005

Amendments to the Claims
Claim Rejections – 35 USC 112

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Listing of the Claims:

This listing will replace all prior versions and listings of claims in the application:

1. (original) A device for deterring an attack and aiding in identification of an attacker comprising:

at least one evidence material.
2. (original) The device of claim 1 further comprising a vessel.
3. (cancelled)
4. (cancelled) The device of claim 2 wherein the at least one evidence material is contained in the vessel.
5. (original) The device of claim 2 wherein the vessel is an open or partially open vessel.
6. (original) The device of claim 2 wherein the vessel is a closed vessel.
7. (currently amended) The device of claim 2 wherein the vessel further comprises a capsule, a band, a wrist band, a bandage, a bracelet, a tube, a rod, a skin scab, scouring pad, a finger cot, ~~a toothpaste shaped container~~, a patch of clothing, health condition alert device, a red cross, ~~soap bar shaped container~~, a ~~pressurized vessel~~, ~~pressure actuated vessel~~, ~~a multi-chamber capsule as the pressure actuated vessel~~, adhesive enhanced vessel, bite actuated vessel, ~~puncture actuated vessel~~, jewelry, an earring, a watch, a ring, a necklace, a pin, a tie, a pen, belt buckle, a badge, an arm band, a toe ring, an ankle ring, a wrapper, a bag, a vessel shaped as: a birthmark, ~~a bag~~, a skin mark, a skin scab,

a skin rash, human skin, or any item capable of containing the evidence material and made of any suitable material.

8. (currently amended) The device of claim 2 7 wherein the vessel is a multi chamber vessel.

9. (currently amended) The device of claim 2 wherein the vessel is made of materials comprising plastic, glass, styrofoam, foil, paper, rubber, crystal, stone, glass, wood, ceramic and metal.

10. (currently amended) The device of claim 9 wherein the plastic further comprises polyethylene terephthalate, polyvinyl chloride, low density polyethylene, high density polyethylene and or styrofoam.

11. (original) The device of claim 10 wherein the surface of the plastic is textured.

12. (cancelled)

13. (original) The device of claim 8 wherein the multi chamber vessel comprises a leak indicating material that is solid or semi solid, fluid, powder, water or gas.

14. (original) The device of claim 13 wherein the fluid or water are opaque or translucent.

15. (original) The device of claim 14 wherein the fluid or water comprise particles, fish line segments and fiber-optic line segments.

16. (original) The device of claim 13 wherein the fluid or water are colored or colorless.

17. (currently amended) The device of claim 7 wherein the skin scab shaped vessel further comprises a protective layer between the scab and or the wearer.

18. (currently amended) The device of claim 1 wherein the at least one evidence material further comprises liquid, solid, gas, semi-solid, granular and or powder material.

19. (original) The device of claim 1 wherein the at least one material are dissimilar to each other.

20. (cancelled)

21. (original) The device of claim 1 wherein the at least one material further comprises individually or in combination thereof: particles, foam, granules, solid, liquid, powder, gas, or semi-solid, of thymophthalein and ethanol mix, iodine, perylene, anthracene, ink, foam as produced by dishwashing soap, pine tar, orange chalk powder, bromine gas, lemon oiled water, coffee oil, coconut oil, pineapple extract, aloe, commercially available jelly, mineral oil, commercially available hand cleaners, scotch-brite, steel wool, fiber-optic segments, automotive oil, alcohol, base, oil, automotive oil, grease, automotive grease, epoxy, glue, silicon cement, tissue abrading material, scouring pad, absorbent material, plastic mesh, metallic mesh, peppermint oil, spearmint oil, particles held under pressure, water, sprit glum, mixture of heterocyclic compound lumino and hydrogen peroxide, an inert material, lemon oiled water, water with fish-line

segments or similar materials, fiber-optic cable segments, metal, ceramic, plastic, glass or wood; dishwashing soap, phosphorus, silicon glue, glitter particles same in size and shape or combination of sizes and shapes, segments of wire, segments of material with unique patterns created therein, string, radioactive material, polonium, sprit glum adhesive, silicon glue, epoxy resin formed by polymerization of bisphenol and epichlorohydrin, deoxyribonucleic acid, human immunodeficiency virus, small pocks virus, urushiol, functional semiconductor devices doped with phosphorus and conductors attached thereto, henna, poison oak, poison ivy, alcohol, base, dry blood or blood encased in a container, bromine gas, water and cesium that burst upon contact, mercury, mix of pentobarbital and sodium pentothal, epoxy resin, epoxy resin formed by polymerization of bisphenol A and epichlorohydrin of varying compositional ratios, fluorescing blue color produced by perylene when exposed to black light, fluorescing ultra-violet color produced by anthracene when exposed to black light, oleoresin capsium, acid, commercially available light sources, and a mix containing 4grams sodium carbonate, .2 grams luminol, .5grams ammonium carbonate and .4grams of copper pentahydrate and 1 liter of water, 50 milliliters of 3% hydrogen peroxide and 1 liter of water.

22. (original) The device of claim 21 wherein the particles, foam, granules, powder, solid, liquid, semi-solid further comprise at least one identification code.

23. (original) The device of claim 1 or 2 wherein the at least one evidence

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material comprises at least one identifying marker.

24. (original) The device of claim 1 wherein the at least one evidence material does not comprise an identifying marker.

25. (original) The device of claim 23 wherein the at least one identifying marker comprises a ring, a wire, a plate, a string, a sphere, an oblong object, an oval object, a thread, a geometric shape, a ball bearing, a pattern impressed in any material, an object made of steel or ceramic, materials of varying compositions and a combination of aforementioned markers.

26. (original) The device of claim 23 wherein the at least one identifying marker further comprises a pattern of at least one type of shapes, characters, numerals and letters generated thereon.

27. (original) The device of claim 1 wherein the at least one evidence material is identified by at least one manufacturing lot number.

28. (cancelled)

29. (currently amended) The device of claim 4 21 wherein the life time of the at least one evidence material is self limiting.

30. (original) The device of claim 1 wherein the at least one evidence material includes manufacturers device registration procedure providing for maintenance of a permanent history of each device manufactured.

31. (cancelled)

32. (original) Device of claim 8 wherein the vessel further comprises the first and second chamber with a space disposed thereinbetween, the first chamber containing at least one evidence material, the space containing water and the second chamber being empty.

33. (original)The device of claim 1 or 2 further comprising: a tool for obtaining and retaining samples of tissue, skin, hair, bone or body fluids.

34. (original) The device of claim 33 wherein the device includes at least one evidence material or is free of the evidence material.

35. (original) The device of claim 33 wherein the tool further comprises a code.

36. (original) The device of claim 33 wherein the tool comprises a tube body having first end and second end, the first end defining first surface and the second end defining second surface, tube body further comprising an inner surface and an outer surface, a rod body having first end and second end, the first end defining first surface and second end defining second surface, an object round in shape and defining a cavity and comprising an outer surface, a tool with an arcuate space, a holding device, an object shaped as a star with inward folded ends and comprising an inner surface and an outer surface, and a folded-over device comprising an abrasive inner surface and an outer surface.

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37. (currently amended) The device of claim 34 ~~wherein the tool is capable of removing and holding tissue, skin, body fluid, or bone sample,~~ the tool further comprising any abrasive material including sandpaper, scotch-brite, grit, buffing material, scouring pad, steel wool, absorbent materials, mesh, wire, ceramic and metallic particles or the surface, or the tool surface being abrasive or textured.

38. (original) The device of claim 33 wherein the tool has at least one blade.

39. (original) The device of claim 38 wherein the at least one blade are two blades positioned about 180 degrees apart from each other.

40. (original) The device of claim 38 wherein the at least one blade further comprises a tissue, skin, hair, body fluid, and bone storage section.

41. (original) The device of claim 40 wherein the tissue, skin, hair, body fluid and bone storage section is angled away from the vertical and inward towards the axis of the rod and the rod body.

42. (original) The device of claim 40 wherein the tissue, skin, hair, body fluid, and bone storage section comprises projections anchored in the surface of the storage section and pointing away from the surface and at an angle of no more than 90 degrees to the surface and in the direction opposite to the outflow of tissue, skin, hair and bone samples from the storage section.

43. (original) The device of claim 36 wherein the tube and the rod tool further comprise a tissue, skin, hair, body fluid and bone removing means at the first end and tissue, skin, hair, body fluid and bone storage means at the second end.

44. (original) The device of claim 36 wherein the tool further comprises projections anchored in its inner surface or cavity and pointing away from the surface and at an angle of no more than 90 degrees to the surface and in the direction opposite to the outflow of evidence material from the tool.

45. (original) The device of claim 33 wherein the tool further comprises the evidence material bleed channel.

46. (original) The device of claim 45 wherein the tool further comprises the evidence material drain opening at its first end, the opening sized to prevent all of skin, bone, tissue, body fluid and hair samples from exiting with the evidence material through the drain opening.

47. (original) The device of claim 36 wherein the holding device is capable of housing a plurality of the tube vessels or the rod vessels.

48. (original) The device of claim 36 wherein the abrasive inner surface of folded-over device further comprises at least one protruding projection.

49. (original) The device of claim 36 wherein the outer surface of folded-over device further comprises at least one protruding projection.

50. (original) The device of claim 36 wherein the star shaped object comprises sharp inward folded ends capable of removing samples of tissue, bone, hair or skin.

51. (original) The device of claim 33 further comprising a preservative capable of preserving the properties of the tissue, skin, hair, bone or body fluids.

52. (original) The device of claim 51 wherein the preservative further comprises salt.

53. (original) The device of claim 36 wherein the object round in shape further comprises a tissue, skin, hair, bone or body fluids retaining section having the first end and second end, the first end defining a first opening on the tool surface, the retaining section extending from the first opening inwardly and defining a cavity in the tool interior and having a second end, an air bleed portion extending from the region of the second end of the retaining section to another opening on the tool surface, a tissue, skin, hair, bone or body fluids obtaining portion having the first end in the area of the perimeter of the first opening and extending outwardly therefrom and terminating in the second end, and an in-reaching portion extending from the second end of the obtaining portion and directed generally in the direction of the cavity.

54. (original) The device of claim 53 wherein the object round in shape is spherical.

55. (cancelled)

56. (cancelled)

57. (cancelled)

58. (cancelled)

59. (cancelled)

60. (currently amended) A device for deterring an attack and aiding in identification of an attacker comprising tools for obtaining tissue, skin, hair, bone or body fluids samples singly or in combination with ~~audio sources or light sources~~; the tools, ~~audio sources, and light sources~~ being detachably connected to a surface in a random or a patterned arrangement.

61. (original) The device of claim 60 wherein at least one of the positions in the arrangement is not populated.

62. (original) The device of claim 33 wherein the tool for obtaining and retaining samples of tissue, skin, hair, bone or body fluids is not visible.

63. (cancelled)

64. (cancelled)

65. (currently amended) The device of claim 8 further comprising light generating chemicals including ~~phosphorus~~, a mixture of substantially the same proportions of heterocyclic compound lumino with hydrogen peroxide, or a mix containing 4grams sodium carbonate, .2 grams luminol, .5grams ammonium carbonate and .4grams of copper pentahydrate and 1 liter of water when combined with a mix 50 milliliters of 3% hydrogen peroxide and 1 liter of water.

66. (cancelled)

67 (cancelled)

68. (cancelled)

69. (original) The device of claim 2 further comprising a vessel having a bottom surface and top surface, the top and bottom surfaces connected to each other with first and second wall at the end of each surface, a pressure applying surface disposed on top of the vessel, the vessel containing evidence material, the vessel expanding outwardly and in direction of cutting tools upon application of pressure to the pressure applying surface, the cutting tools penetrating the vessel and releasing evidence material.

70. (original) The device of claim 2 further having a removable cover with an extension attached thereto and further comprising tools for obtaining tissue, skin, hair, bone or body fluids samples singly or in combination with audio sources or light sources; the device being detachably connected to person's body, the device being activated by a applying force to the extension and releasing any or all of its contents.

71. (currently amended) The device of claim 2 further comprising vessel having an open end and having an evidence material or being free of evidence material, a cover having first surface and second surface, the first surface of the cover detachably connected at its periphery with the vessel at the vessel open end, a shock absorbing material connected with the cover first surface and fitting inside

the vessel, a light generating device connected with the shock absorbing material and fitting inside the vessel, a cutting tool connecting at its first end to the first surface of the cover and extending away from the lid cover into the vessel, and an attachment device coupled with the second surface of the cover.

72. (currently amended) The device of claim 2 further comprising a vessel having an open end and vessel having evidence material or be free of evidence material with tube, rod, star shaped device with inward folded ends or folded over device with an abrasive inner surface and an outer surface, an object round in shape, a cover having first surface and second surface; the first surface of the cover detachably connected at its periphery with the vessel at the vessel open end, a power source and a light source positioned inside the vessel, an insulator bar connected with the first surface of the cover and extending away from the cover land into the vessel and reaching in between and separating power source and the light source, wherein removal of the cover removes the insulator bar from between the power source and the light source and thus energizes the light source, a cutting tool connected at its first end to the first surface of the lid cover and extending away from the lid into the vessel, and an attachment device coupled with the second surface of the lid cover.

73. (original) The device of claim 1 wherein the identical evidence material is retained by a person other than the victim.

74. (currently amended) The device of claim 69 further comprising evidence material and a tool for obtaining and storing tissue, skin, bone, body fluid and hair samples wherein the tool comprises a tube body having first end and second end, the first end defining first surface and the second end defining second surface, a rod body having first end and second end, the first end defining first surface and second end defining second surface, at least one cutting blade for removing and holding skin, bone, hair, tissue and body fluid samples, a holding device, an object shaped as a star with inward folded ends; and or a folded-over device comprising an abrasive inner surface and an outer surface, an audio source, a light generating device and a cutting tool.

75. (cancelled)

76. (cancelled)

77. (cancelled)

78. (cancelled)

79. (cancelled)

80. (cancelled)

81. (cancelled)

82. (cancelled)

83. (cancelled)

84. (cancelled)

85. (cancelled)

86. (currently amended) The device of claim 1, 2, or 33, ~~75 or 85~~ further comprising a radio frequency device.

87. (original) The device of claim 86 further comprising a radio frequency identification device.

88. (original) The device of claim 87 wherein the radio frequency identification device is electrically active.

89. (original) The device of claim 87 wherein the radio frequency identification device is electrically inactive.

90. (original) The device of claim 36 wherein the tool with an arcuate space further defines the arcuate space disposed therein, the space originating at the tool surface and forming a sharp edge thereupon, the arc then extending generally inward and moving in the direction opposite from its point of origin and tending towards the tool center, the arc reaching its mid point and then curving generally in the direction away from the tool center and towards the tool surface and forming a circular shape with the inward portion of the arc, the arc terminating at the tool surface at some distance from its point of origin and forming another sharp point at the tool surface.

91. (original) The device of claim 90 wherein the tool is shaped like a rod.

92. (original) The device of claim 90 wherein the tool is tubularly shaped.

93. (original) The device of claim 90 further defining a space disposed therein, the space comprising an electrical switch, an insert to keep the electrical switch

in open position, a power source, an audio source, a light source and electronics for operating the audio and the light source.

94. (original) The device of claim 93 being detachably connected to a surface, the contact with the surface comprising a projection that maintains the electric switch in open position, whereby detaching the device from the projection activates the electric switch, the audio and the light source.

95. (currently amended) A method for deterring an attack and aiding in identification of an attacker comprising the steps of:
manufacturing a vessel capable of housing evidence material;
placing the evidence material into the vessel;
equipping the person to be protected with the vessel containing the evidence material;
applying pressure to the vessel, or breaking the vessel, or tearing the vessel or ~~puncturing the vessel~~ or opening the vessel, and releasing the evidence material;
and
spreading the evidence material over the person to be protected and the attacker.

96. (currently amended) A method for deterring an attack and aiding in identification of an attacker comprising the steps of:

manufacturing a vessel capable of housing the evidence material and a device capable of removing a tissue, skin, bone, body fluid or hair sample and storing the sample;

manufacturing a device capable of removing and storing the tissue, skin, bone or hair sample;

combining the evidence material and a device capable of removing tissue, skin, bone, body fluid or hair sample with the vessel;

equipping the person to be protected with the vessel containing the evidence material and a device capable of removing tissue, skin, bone, body fluid or hair sample;

applying pressure to the vessel or breaking the vessel or tearing the vessel or ~~puncturing the vessel~~ or opening the vessel and releasing the evidence material;

applying the evidence material over the person to be protected and the attacker;

obtaining skin, tissue, bone, body fluid or hair samples from the attacker and the person to be protected; and

storing the samples in the device capable of dislodging and storing tissue, skin, bone, body fluid or hair samples.

97. (currently amended) A method for deterring an attack and aiding identification of an attacker comprising the steps of:

manufacturing a multi chamber vessel with walls of varying strength capable of housing light generating substance;

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placing a mixture of substantially the same proportions of heterocyclic compound lumino with hydrogen peroxide, or a mix containing 4grams sodium carbonate, .2 grams luminol, .5grams ammonium carbonate and .4grams of copper pentahydrate and 1 liter of water when combined with a mix 50 milliliters of 3% hydrogen peroxide and 1 liter of water into the peripheral chambers of the vessel; leaving the central chamber of the vessel empty; equipping the person to be protected with the vessel containing the light generating substances; applying pressure to the vessel allowing the light generating substances to reach and mix in the central chamber; and generate light.

98. (currently amended) A method for deterring an attack and adding in identification of an attacker comprising the steps of:
manufacturing an enclosure having a cover capable of containing the evidence material and a device capable of removing and storing a tissue, skin, bone, body fluid or hair sample, battery or solar power source, an audio source, electronics for controlling the audio source, an insulator positioned between the electronics and the audio power source, the audio source being activated by removal of the insulator;equipping the person to be protected with the enclosure containing the evidence material and a device capable of removing and storing a tissue, skin,

bone, body fluid or hair sample, battery or solar power source, an audio source, electronics for controlling the audio source, an insulator positioned between the electronics and the audio power source, the audio source being activated by removal of the insulator; releasing the lid cover of the enclosure and thereby activating the audio source; rubbing the evidence material over the person to be protected and the attacker.

99. (original) A method for deterring an attack and aiding in identification of an attacker comprising the steps of:

manufacturing a vessel capable of housing evidence material;

placing the evidence material into the vessel;

applying a layer of adhesive to the vessel, the attachment strength of the adhesive exceeding the breaking strength of the vessel;

attaching the vessel containing the evidence material to the person to be protected;

removing the vessel from the person to be protected and thereby breaking the vessel and releasing the evidence material; and

spreading the evidence material over the person to be protected and the attacker.

100. (original) A method for deterring an attack and aiding in identification of an attacker comprising the steps of:

manufacturing a vessel capable of housing evidence material;

placing the evidence material into the vessel;
applying attachment devices to the vessel, the strength of attachment devices exceeding the vessel breaking strength;
attaching the vessel to a person to be protected;
removing the vessel from the person to be protected and thereby breaking the vessel and releasing the evidence material; and
spreading the evidence material over the person to be protected and the attacker.

101. (currently amended) A method for deterring an attack and aiding in identification of an attacker comprising the steps of:
manufacturing a at least one vessel capable of housing evidence material;
placing the evidence material into the vessel;
applying attachment devices to the vessel, the strength of attachment devices exceeding the vessel breaking strength;
attaching at least one vessels to a person to be protected;
connecting the at least one vessel to each other with a strand connector;
applying force to the strand connector and thereby to the attachment devices;
breaking the at least one vessel and releasing the evidence material; and
spreading the evidence material over the person to be protected and the attacker.

102. (cancelled)

103. (cancelled)

104. (cancelled)

105. (cancelled)

106. (cancelled)

107. (cancelled)

108. (cancelled)

109. (cancelled)

110. (cancelled)

111. (cancelled)

112. (cancelled)

113. (cancelled)

114. (cancelled)

115. (cancelled)

116. (cancelled)

117. (cancelled)

118. (cancelled)

119. (cancelled)

120. (cancelled)

121. (cancelled)

122. (cancelled)

123. (cancelled)

124. (cancelled)

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125. (cancelled)